

Message Text

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PASS LABOR FOR SEGALL AND PERSONS

E.O. 11652: NA

TAGS: ILO

SUBJ: ILO CONFERENCE- RESOLUTION ON FREEDOM OF ASSOCIATION

FOLLOWING IS TITLE AND TEXT OF RESOLUTION ON FREEDOM OF ASSOCIATION.

BEGIN TEXT: RESOLUTION CONCERNING FREEDOM OF ASSOCIATION,
SUBMITTED BY MR.COMMANDEUR, WORKERS'S DELEGATE, NETHERLANDS,
AND MR. SALANNE, WORKERS' DELEGATE, FRANCE

THE GENERAL CONFERENCE OF THE INTERNATIONAL LABOUR
ORGANISATION,
CONSIDERING THE INSTITUTIONALISED VIOLATION IN A
CERTAIN NUMBER OF COUNTRIES OF THE BASIC PRINCIPLES
RELATING TO UNIVERSALLY RECOGNISED HUMAN RIGHTS AND, IN
PARTICULAR, TRADE UNION RIGHTS AS:

-DEFINED AND SOLEMNLY PROCLAIMED IN THE UNIVERSAL
DECLARATION OF HUMAN RIGHTS, IN THE PREAMBLE
TO THE CONSTITUTION OF THE INTERNATIONAL LABOUR
ORGANISATION AND IN THE DECLARATION OF PHILA-
DELPHIA, AND

-SPECIFICALLY MENTIONED IN THE FREEDOM OF ASSOCIA-
TION AND PROTECTION OF THE RIGHT TO ORGANISE
CONVENTION, 1948 (NO. 87), THE RIGHT TO ORGANISE

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AND COLLECTIVE BARGAINING CONVENTION, 1949 (NO.

98), AND THE WORKERS' REPRESENTATIVES CONVENTION, 1971 (NO. 135), AND IN MANY RESOLUTIONS, BOTH OF THE INTERNATIONAL LABOUR CONFERENCE AND OF REGIONAL CONFERENCES, IN PARTICULAR, THE FOLLOWING:
-ABOLITION OF ANTI-TRADE UNION LEGISLATION (INTERNATIONAL LABOUR CONFERENCE, 1957);
-TRADE UNION RIGHTS AND THEIR RELATIONS TO CIVIL LIBERTIES (INTERNATIONAL LABOUR CONFERENCE, 1970);
-HUMAN AND TRADE UNION RIGHTS IN CHILE (INTERNATIONAL LABOUR CONFERENCE 1974);
-PROTECTION OF THE RIGHT OF ASSOCIATION AND FREEDOM OF ASSOCIATION (MEXICO CITY, 1946), FREEDOM OF ASSOCIATION (MONTEVIDEO, 1949, AND PETROPOLIS, 1952), AND TRADE UNION RIGHTS (GENEVA, EUROPEAN REGIONAL CONFERENCE, 1974);
-CONFERENCE OF AMERICAN STATES MEMBERS, (MEXICO CITY, 1974);

1. REAFFIRMS:

(A) THE OBLIGATION, ON THE PART OF GOVERNMENTS, TO ABOLISH WITHOUT DELAY SUCH LAWS AND ADMINISTRATIVE REGULATIONS AS HINDER OR RESTRICT FREEDOM OF ASSOCIATION AND TO ENSURE FOR THE WORKERS AND THEIR FREELY CONSTITUTED ORGANISATIONS THE EFFECTIVE EXERCISE OF TRADE UNION RIGHTS;

(B) THE RIGHT TO FREEDOM AND SECURITY OF THE PERSON AS WELL AS PROTECTION AGAINST ARBITRARY ARREST AND DETENTION;

2. IS OUTRAGED AT THE RIGHTS ASSUMED IN CERTAIN COUNTRIES BY THE POLICE AND ARMY TO IMPRISON AND PERSECUTE TRADE UNION MILITANTS AND LEADERS ON ACCOUNT OF LEGITIMATE ACTIVITIES RECOGNISED BY THE UNIVERSAL CONSCIENCE AS WELL AS BY THE BASIC TEXTS OF THE UNITED NATIONS AND ITS SPECIALISED AGENCIES:

3. URGENTLY INVITES THE MEMBER STATES WHICH HAVE NOT ALREADY DONE SO TO RATIFY INTERNATIONAL LABOUR CONVENTIONS NOS. 87, 98 AND 135 AND TO ENSURE THEIR STRICT APPLICATION;

4. REITERATES TO THE GOVERNING BODY OF THE INTERNATIONAL LABOUR OFFICES THE INVITATION MANY TIMES

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EXPRESSED-

(A) TO PROCEED URGENTLY TO STRENGTHEN THE MACHINERY TO ENABLE RAPID AND EFFECTIVE INTERVENTION WHERE TRADE UNION RIGHTS HAVE BEEN INFRINGED, PARTICULARLY WHEN A GOVERNMENT IS DIRECTLY IMPLICATED AND HUMAN LIVES ARE IN DANGER;

(B) TO SUBMIT TO THE NEXT SESSION OF THE INTERNATIONAL LABOUR CONFERENCE A PROPOSAL WITH THE OBJECT OF:

(I) INCLUDING IN THE CONSTITUTION OF THE ILO THE
ESSENTIAL PRINCIPLES CONTAINED IN THE INTERNATIONAL
STANDARDS CONCERNING THE PROTECTION OF HUMAN
AND TRADE UNION RIGHTS;

(II) AMENDING ARTICLES 5 AND 26 OF THE STANDING
ORDERS OF THE CONFERENCE WITH A VIEW TO RENDERING
THE CREDENTIALS COMMITTEE MORE EFFECTIVE;

5. FURTHER REQUESTS THE GOVERNMENT BODY OF THE
INTERNATIONAL LABOUR OFFICE-

(A) TO ALTER THE PROCEDURE OF THE FACT-FINDING AND
CONCILIATION COMMISSION SO THAT THIS COMMISSION
CAN ACCOMPLISH ITS MISSION OUTSIDE THE COUNTRY
CONCERNED, WHEN THE LATTER DOES NOT AGREE, WITHIN
A REASONABLE TIME, TO ALLOW IT TO ACT WITHIN ITS
TERRITORY;

(B) TO INVITE THE MEMBERS STATES OF THE ILO AND THE
EMPLOYERS' AND WORKERS' ORGANISATIONS TO OPPOSE
-IN ALL INSTANCES WHERE THEY POSSESS THE RIGHT TO
INTERVENE-ANY- CO-OPERATION OR FACILITY GRANTED TO
A COUNTRY WHICH IS UNWILLING TO OFFER THE INTERNATIONAL
LABOUR ORGANISATION ITS FULL AND COMPLETE
CO-OPERATION IN RESPECTING TRADE UNION RIGHTS AND
THE RELATED CIVIL LIBERTIES. END TEXT
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